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January 14, 2010

United States District Judge Arthur D. Spatt
United States District Court, E.D.N.Y.
814 Federal Plaza
Central Islip, New York 11722-4451

Re: Pace v. Vecchio
Docket No. CV – 08 – 3719

Dear Judge Spatt:

This firm represents the defendant in the above referenced **matter**. I am writing to confirm my conversation with Ms. Mary Ellen Schaffner that the parties **hereto** have settled this case which was scheduled for jury selection on Tuesday, January 19, 2010. Accordingly, I am requesting that the jury selection be cancelled. We intend to file a stipulation of discontinuance within forty-five days.

Thank you for the courtesies extended herein. Unless we hear **otherwise** from this Court, we will not be appearing in court on January 19, 2010.

Very truly yours,

DEVITT SPELLMAN BARRETT, LLP

/S/

Jeltje deJong (JD/4452)

*Case closed - subject to the terms of
the settlement. So Ordered.*

Arthur D. Spatt, U.S.D.J. 1/15/10